

HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMASAFETY STAR, LLC, a Missouri limited
liability company,

Plaintiff,

v.

APTIBYTE, LLC, a Washington limited
liability company,

Defendant.

Case No. 2:23-cv-01399-BHS

[PROPOSED] ORDER GRANTING
DEFENDANT APTIBYTE, LLC'S
REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF MOTION FOR JUDGMENT
ON THE PLEADINGS PURSUANT TO
FED. R. CIV. P. 12(c)

THIS MATTER came before the Court on Defendant Aptibyte, LLC's Request for Judicial Notice in Support of Motion for Judgment on the Pleadings Pursuant to FED. R. CIV. P. 12(c). Defendant requests that the Court take judicial notice of the following court filings and records of the United States Patent and Trademark Office ("USPTO") submitted in support of Defendant's concurrently filed Motion for Judgment on the Pleadings:

Lay Decl. Exhibit	Description of Document
1	Complaint for Trademark Infringement, False Designation of Origin, Unfair Competition, and Tortious Interference With Economic Relations filed by Safety Star on May 15, 2023, in <i>Safety Star, LLC v. Aptibyte, LLC</i> , No. 3:23-cv-05440-DGE (W.D. Wash.) (Dkt. 1)
2	First Amended Complaint for Trademark Infringement, False Designation of

	Origin, Unfair Competition, and Tortious Interference with Economic Relations filed by Safety Star on July 28, 2023, in <i>Safety Star, LLC v. Aptibyte, LLC</i> , No. 3:23-cv-05440-DGE (W.D. Wash.) (Dkt. 15)
3	A “Nunc Pro Tunc Trademark Assignment Agreement” for each of the B-SAFE and BSAFE BINGO marks and registrations obtained from the USPTO’s trademark assignment database
4	Registration certificate for the B-SAFE trademark obtained from the USPTO’s Trademark Status & Document Retrieval (“TSDR”) database on March 25, 2024
5	“Change Of Owner’s Address” submitted to the USPTO in connection with the B-SAFE trademark registration obtained from the USPTO’s TSDR database on March 25, 2024
6	Registration certificate for the BSAFE BINGO trademark obtained from the USPTO’s TSDR database on March 25, 2024
7	Application to register the BSAFE BINGO trademark filed on June 4, 2018 obtained from the USPTO’s TSDR database on March 25, 2024

The Court, having considered Defendant’s Request for Judicial Notice, any response and/or reply, the record herein, and being fully advised in the premises, hereby GRANTS Defendant’s request that the Court take judicial notice of the above-listed documents pursuant to FED. R. EVID. 201 in connection with Defendant’s Motion for Judgment on the Pleadings.

IT IS SO ORDERED.

Dated this ____ day of _____, 2024.

Benjamin H. Settle
United States District Judge

1 Presented by:
2 FOCAL PLLC

3 By: s/ Stacia N. Lay
4 s/ Randall H. Moeller
5 Stacia N. Lay, WSBA #30594
6 Randall H. Moeller, WSBA #21094
7 900 1st Avenue S., Suite 201
Seattle, Washington 98134
Tel: (206) 529-4827
Fax: (206) 260-3966
Email: stacia@focallaw.com
Email: randall@focallaw.com

8 Attorneys for Defendant Aptibyte, LLC
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